

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

LAVERIS TOWNSEND SR., LAVERIS)
TOWNSEND JR., LATANYA) Case No. 1:20-cv-287
TOWNSEND, and TERRILL)
TOWNSEND,) Judge Travis R. McDonough
)
Plaintiffs,) Magistrate Judge Christopher H. Steger
)
v.)
)
HUBERT E. HAMILTON and)
HAMILTON COUNTY, TENNESSEE,)
)
Defendants.)

ORDER

On October 5, 2020, Plaintiff filed this *pro se* action (Doc. 2) and an application to proceed *in forma pauperis* (Doc. 1). On March 17, 2021, United States Magistrate Judge Christopher H. Steger issued a report and recommendation, recommending the Court dismiss the complaint without prejudice because Plaintiff cannot represent his family members and fails to state a claim on his own behalf. (Doc. 7.) Magistrate Judge Steger also recommended that the Court deny the application to proceed *in forma pauperis* as moot. (*Id.*) Plaintiff did not timely object to the report and recommendation.

After reviewing the record and the applicable law, the Court agrees with the magistrate judge's findings of fact, conclusions of law, and recommendation. Therefore, the Court **ACCEPTS** and **ADOPTS** the report and recommendation (Doc. 7) pursuant to 28 U.S.C. § 636(b)(1), and **ORDERS** that the action be **DISMISSED WITHOUT PREJUDICE** and Plaintiff's application for leave to proceed *in forma pauperis* (Doc. 1) is **DENIED AS MOOT**.

AN APPROPRIATE JUDGMENT WILL ENTER.

/s/ *Travis R. McDonough*

TRAVIS R. MCDONOUGH

UNITED STATES DISTRICT JUDGE